

Remarks

The March 23, 2007 Office Action objects to Claims 60 and 61 and rejects claim 61, 63 and 64 under 35 U.S.C. 112, first paragraph. Applicants acknowledge with thanks Examiner's interview with undersigned on August 15, 2007. Applicants have incorporated Examiner's comments regarding the present claims below. Therefore, in light of the amendments above and the arguments below, Applicants respectfully request reconsideration of the present application.

In the Claims

Claims 60 and 61 have been amended herein. Claims 68-70 are newly added. Claims 1-59, 62 and 65 have been cancelled. Support for the amendments and newly added claims can be found in the specification as filed. No new matter has been added.

Claim Objections

Claims 60 and 61 have been amended to correct the informalities noted by the Examiner. Specifically, a comma has been inserted after "strain 5" in claim 60, and "Bst DNA polymerase type strain 5" is now recited as "Bst type strain 5 DNA polymerase" in claims 60 and 61.

35 U.S.C. 112 First Paragraph Rejection

Claims 61, 63 and 64 have been rejected as containing subject matter which was not described in the specification so as to reasonably convey that the inventors had possession of the claimed invention. Specifically, the Examiner contends that the claimed methods lack adequate written description for DNA polymerases derived from *Bacillus stearothermophilus* (Bst) type strain 5, wherein the purified DNA polymerase is the product of *any* subtilisin digestion and is *any* truncated large fragment of *any* full-length Bst DNA polymerase (emphasis added). Accordingly, Applicants have amended claim 61, from which claims 63 and 64 depend. As amended, claim 61 now recites a purified DNA polymerase that is the large fragment that is the product of a subtilisin digestion of full-length *Bacillus stearothermophilus* (Bst) type strain 5 DNA polymerase. Applicants submit that as amended, claims 61, 63 and 64 are fully supported by the specification of the application.

Further, Applicants have added new claims 68-70, which recite a purified DNA polymerase that is encoded by the *Bacillus stearothermophilus* (Bst) type strain 5 DNA polymerase ATCC No. 12980. Support for new claims 68-70 can be found in the application as filed, see page 12, lines 8-9. Applicants therefore respectfully submit that these claims are also clearly supported by the specification.

Accordingly, Applicants submit that the rejection of claims 61, 63 and 64 under 35 U.S.C. §112, first paragraph, has been overcome. Withdrawal of same is respectfully requested.

SUMMARY

The application is believed to be in condition for allowance and allowance of the same is requested. If all the claims are not allowed, Applicant requests a telephone interview with the Examiner and his supervisor. The Commissioner is authorized to charge any fees under 37 CFR § 1.17 that may be due on this application to Deposit Account 17-0055. Applicants have enclosed a Petition for Three Month Extension of Time and a Request for Continued Examination. If further fees are necessary, please charge Deposit Account 17-0055. The Commissioner is also authorized to treat this amendment and any future reply in this matter requiring a petition for an extension of time as incorporating a petition for extension of time for the appropriate length of time as provided by 37 CFR § 136(a)(3).

Respectfully submitted,

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By: 

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